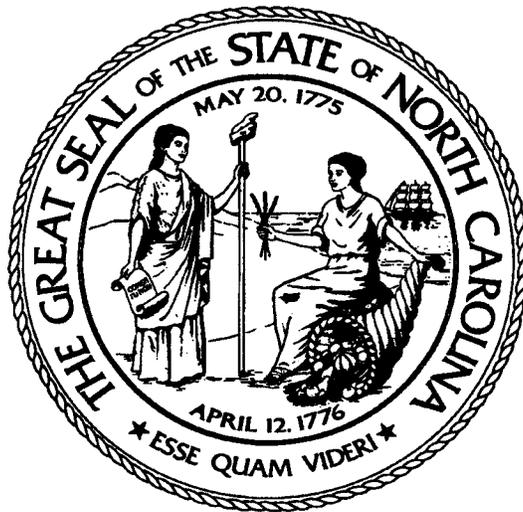


**LEGISLATIVE
RESEARCH COMMISSION**

STATE PARKS AND RECREATION AREAS



**REPORT TO THE
1995 GENERAL ASSEMBLY
OF NORTH CAROLINA**

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STATE OF NORTH CAROLINA
LEGISLATIVE RESEARCH COMMISSION
STATE LEGISLATIVE BUILDING
RALEIGH 27601-1096



January 11, 1995

TO THE MEMBERS OF THE 1995 GENERAL ASSEMBLY:

The Legislative Research Commission herewith submits to you for your consideration its final report on State Parks and Recreation Areas. The report was prepared by the Legislative Research Commission's Committee on State Parks and Recreation Areas pursuant to G.S. 120-30.17(1).

Respectfully submitted,


Daniel T. Blue, Jr.
Speaker of the House


Marc Basnight
President Pro Tempore

Cochairmen
Legislative Research Commission



1993-1994

LEGISLATIVE RESEARCH COMMISSION

MEMBERSHIP

President Pro Tempore of
the Senate
Marc Basnight, Cochair

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Senator R. L. Martin
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Representatives
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PREFACE

The Legislative Research Commission, established by Article 6B of Chapter 120 of the General Statutes, is the general purpose study group in the Legislative Branch of State Government. The Commission is cochaired by the Speaker of the House and the President Pro Tempore of the Senate and has five additional members appointed from each house of the General Assembly. Among the Commission's duties is that of making or causing to be made, upon the direction of the General Assembly, "such studies of and investigations into governmental agencies and institutions and matters of public policy as will aid the General Assembly in performing its duties in the most efficient and effective manner" (G.S. 120-30.17(1)).

The Legislative Research Commission, prompted by actions during the 1993 Session, has undertaken studies of numerous subjects. These studies were grouped into broad categories and each member of the Commission was given responsibility for one category of study. The Cochairs of the Legislative Research Commission, under the authority of G.S. 120-30.10(b) and (c), appointed committees consisting of members of the General Assembly and the public to conduct the studies. Cochairs, one from each house of the General Assembly, were designated for each committee.

The study of State Parks and Recreation Areas would have been authorized by Part II, Section 2.1(11) of the 2nd Edition of House Bill 1319 which passed both chambers but inadvertently was among the bills not ratified at the end of the 1993 Session.

Part II of the 2nd Edition of House Bill 1319 would allow studies authorized by that Part for the Legislative Research Commission to consider House Bill 149 in determining the nature, scope and aspects of the study. Section 2 of House Bill 149 reads in part:

"The Study Commission is authorized:

- (1) To identify the needs of State Parks and Recreation Areas;
- (2) To collect and evaluate reports and recommendations of various agencies, councils, and associations relating to State Parks and Recreation Areas;
- (3) To review and evaluate the North Carolina Park Authority and the Park Fund, if legislation is enacted to establish the Park Authority and Fund, and to recommend any revision in the legislation;
- (4) To review and formulate proposed legislation to address the needs of the Parks System; and

- (5) To study any other issues pertinent to the State Parks and Recreation System."

The relevant portions of the 2nd Edition of House Bill 1319 and House Bill 149 are included in Appendix A. The Legislative Research Commission authorized this study in the Fall of 1993 under authority of G.S. 120-30.17(1) and grouped this study in its Environmental Grouping area under the direction of Senator Lura S. Tally. (House Bill 1319 was later amended and ratified in 1994 with the Legislative Research Commission studies 2nd Edition language deleted because the Legislative Research Commission had already acted on these matters).

The Committee was chaired by Senator James D. Speed and Representative Paul Luebke. The full membership of the Committee is listed in Appendix B of this report. A committee notebook containing the committee minutes and all information presented to the committee is filed in the Legislative Library.

COMMITTEE PROCEEDINGS

The Study Committee on State Parks and Recreation Areas met four times - May 5, 1994, September 20, 1994, November 17, 1994 and December 14, 1994. The more detailed minutes of the meetings are available from the committee clerk.

The Study Committee filed an interim report with the Legislative Research Commission, which was submitted to the 1993 General Assembly (Regular Session 1994) on May 23, 1994. Reference to that report should be made for a summary of the committee proceedings and recommendations prior to the 1994 Session.

Second Meeting - September 20, 1994

The second meeting of the Committee began with a 1994 State Parks legislation review by Committee Counsel, O. Walker Reagan. Mr. Reagan informed the Committee the three bills that were enacted during the short legislative session which affected State Parks included Senate Bill 1663 (which allocated the expenditure of the \$35 million from the 1993 State Park Bond Issue); Senate Bill 733 (which created the Parks and Recreation Trust Fund, specified how the monies in the Trust are to be spent, and stated the Legislature's intent to dedicate to this Fund 75% of the State's share of the deed stamp tax collected, with the remaining 25% to be dedicated to the Natural Heritage Trust Fund); and parts of the 1994 Budget Bill, Senate Bill 1505 (which appropriated \$1 million to the Parks and Recreation Trust Fund, authorized the acquisition of additional lands at Occoneechee Mountain, Bird Island and Hammocks Beach State Park, and appropriated \$15,000 for a study of a potential state park in the Mountain Island Lake Area).

The Committee also heard a presentation by Bill Veeder, chairperson of the Kerr Lake Recreation Advisory Committee, who called the Committee's attention to the significant disparity between the number of rangers at Kerr Lake State Park as compared to Falls Lake and Jordan Lake. Mr. Veeder noted that Kerr Lake averaged 155,000 visitors per ranger while Falls and Jordan averaged only 75,000 visitors or less per ranger. He noted that Kerr Lake State Park had not added a new position in over 20 years. Tom Wells, Assistant Director for the Division of State Parks, explained that the Division had asked for additional staffing in the past to correct this problem, but had so far been unsuccessful. Mr. Wells also indicated this was one of the Division's priority request for the 1995 Expansion Budget. He explained that the Legislature had authorized a higher number of rangers for new state parks that came on line in the mid-80's, but this same standard was not applied to the older parks, like Kerr Lake, that have since fallen behind.

The Committee heard several presentations concerning mineral rights on Wolf Rock in Stone Mountain State Park. Tom Wells explained that the State had acquired the land for the park in 1969, in part from a donation and in part from a purchase, from N.C. Granite Corp. of Mount Airy. As a condition of its conveyance to the State, N.C. Granite reserved the mineral rights on a 125-acre tract, which included part of Wolf Rock, one of two major mountainous outcrops in the park, but N.C. Granite

agreed to defer any mining activities for a period of 25 years. The 25-year moratorium expired in February, 1994, and N.C. Granite has indicated it was planning to begin the mining permit process or sell its mineral rights to the State. Mr. Wells explained that at the time the property was acquired in 1969 Wolf Rock was expected to be on the outer fringe of the park, but as the park has developed over the last 25 years, the Wolf Rock area has become part of the center of the park.

Charles Gardner, from the Division of Land Resources, explained to the Committee the role his office plays in issuing mining permits. He explained that in 1971, two years after the State acquired the Stone Mountain property from N.C. Granite, the State adopted the State Mining Act, which in part, allowed mining permits to be denied if the mining operation would have undue adverse effects on potable groundwater supplies, wildlife, or fresh water, estuarine, or marine fisheries, or would have a significantly adverse effect on the purposes of a publicly owned park, forest or recreation area.

Carol Tingley and Sue Reiger, from the Division of State Parks, discussed the potential adverse impact mining at Wolf Rock would have on the park. They explained that part of the 125-acre tract was in a registered natural heritage area, that there were at least 8 rare moss species within the area of Wolf Rock, and that Wolf Rock served as a nesting area for several types of birds of prey, including hawks and falcons. There is also a popular trout stream that would be impacted by a mining operation. They also expressed concern about the effect of mining noise in the park.

Tom Wells informed the Committee that mineral rights had also been reserved in Medoc Mountain Park, (those rights have now expired), Jones Lake State Park, Singletary Lake State Park, and Goose Creek State Park.

Bill Holman spoke on behalf of the N.C. Conservation Council and the Sierra Club and expressed these groups' opposition to any mining activity in Stone Mountain State Park. Mr. Holman suggested that if N.C. Granite was insisting on a high price of \$10 million, or so, for the mineral rights, the State should consider adopting a severance tax, like many other states have done, as a way of paying for state parks. He pointed out that one rationale for a severance tax to be dedicated for conservation and state parks purposes is that the natural resources of the State belong to all the people, and to the extent that one person benefits from the removal of a depletable asset to the exclusion of others, the person should pay, through a tax, to help preserve other natural resource assets that might otherwise be depleted. Such a tax would apply statewide to all non-fuel mineral extractions and could benefit conservation and state parks efforts all across the State. Bill Noonan, President of Friends of the State Parks, expressed his group's opposition to any physical disturbance in a park, and said mining would be unheard of. Susan Joines, a private citizen from Elkin, N.C., spoke to the Committee about the more than 2000 signatures she had obtained on a petition opposing any mining related activity on Wolf Rock.

Next the Committee heard from Tom Wells on the Division of State Parks' budget requests for 1995. These include full funding of the Parks and Recreation Trust Fund, minimal staff of rangers and environmental specialists, raising the level of pay for seasonal employees, and providing for environmental education.

The Committee next heard presentations by recreation vehicle owners complaining about the problems RV campers have in state parks, including the reservation system, unlevel sites, limited access to electricity, water, dump stations, rest rooms and the lack of adequate covered meeting facilities. Henry F. Marshall, President of the Sams-O-Wake Camping Club and Dr. Bob Cooke, President of the Recreational Vehicles Association of N.C., pointed out how large an industry RV camping had become and what a significant economic impact RV campers can have on an area. Dr. Cooke handed out a proposal for the development of improved group camping facilities at North Carolina state parks and suggested that the State Parks Division work with his organization on a couple of pilot projects to improve the design of certain camping areas, and to then analyze the effect on RV camping attendance, the impact on the parks, and the economic impact on the surrounding area. Mr. Marshall urged the State to put "tepee" designations on the State highway maps to indicate the location of campsite facilities, to encourage more RV's to stop in North Carolina, and to facilitate their stay..

Third Meeting - November 17, 1994

At its third meeting, the Committee received follow-up reports on mineral rights at Wolf Rock in Stone Mountain State Park. Warren Plonk, with the Legislative Fiscal Research Staff, presented the Committee with statistical information on the size of the mineral industry in North Carolina, how other states handle severance taxes, and the size of revenues generated from severance taxes in other states. Mr. Plonk also discussed with the Committee the effect a severance tax might have in North Carolina. Based on the current State sales tax rate of 4%, over \$21.8 million would have been generated in 1993 from a severance tax on non-fuel minerals.

Next the Committee heard a presentation from Don Shelton, President of N.C. Granite Corp., on the Company's position concerning the mineral rights on Wolf Rock. He explained that the company had purchased the land, now used as Stone Mountain State Park, in 1929 solely for the granite deposits on the land. In 1969 when the company agreed to make a donation of land to the State, and sell additional land for the park, it was clearly agreed and understood that the mineral rights were reserved on the 125-acre tract. He said that the company now needed new sources of granite and would like to being mining at this site. But he also explained that because of the public concerns and the environmental conditions associated with mining in the park, the company was willing to negotiate a sale of the mineral rights. Mr. Shelton said that the company's research indicated that they could mine 325,000 cubic feet of granite per year for a period of 107 years from this site. While they had initially valued the mineral rights at between \$25 million and \$30 million, because the site was in the middle of a state park, they agreed that the value may be only \$5 to \$10 million. Mr. Shelton told the Committee that to his knowledge there was no white granite of the quantity or quality as found on Wolf Rock anywhere else in the United States.

Wallace Sherron, Director of the State Property Office, explained to the Committee the process his office would follow to obtain a fair market valuation of the

mineral rights. He explained that to value this stone you would need an appraiser who specializes in mineral rights familiar with the granite industry, as well as a geologist and a mining engineer. He noted that in order to value the mineral rights, in addition to knowing the quantity of the stone, you need to estimate the future market for the stone as well as the cost to extract and move the stone. He estimated that it could take at least 6 months for this valuation. Mr. Sherron pointed out that if a negotiated agreement could not be reached with N.C. Granite, the State could condemn the mineral rights to prevent any damage to the park property.

Cochair Luebke next read a letter from Susan Joines, which said she now had over 3000 signatures on the petition opposing any construction which would be detrimental to the natural surroundings and wildlife habitats at Wolf Rock.

Next the Committee heard from Bayard Alcorn, with the Division on State Parks, on the Division's Report on Assessment of Entrance Fees for State Parks. He pointed out that North Carolina now only collects fees at Falls Lake and Jordan Lake State Parks. The report points out that for many parks, the attendance is too low to support a staffed collection procedure, and that these types of fees might have an adverse impact on park attendance. He also mentioned that entrance fees might prevent a certain part of the population from utilizing the parks. He did point out that many of the facilities and services requiring staff did have facility fees, such as swimming, camping, cabins and boating.

The Committee heard a presentation by Tom Wells concerning a proposed pilot project which would encourage park visitors to carry-out the trash and other solid waste they bring into the park. Mr. Wells noted that 34 other states have similar carry-in/carry-out programs and that such a program could be part of a larger environmental education program which encourages outdoor ethics. He said the program would encourage recycling, encourage the use of reusable containers, improve the appearance of the parks, reduce trash removal staff, and remove attractions for animals and insects. The Division is recommending a pilot program in six parks, with a 12-month planning period and a 12-month implementation period.

Next the Committee heard a presentation from Margaret R. Jones, President of Save Our Rivers, Inc., recommending that the State participate in a statewide river assessment. Ms. Jones pointed out that a river assessment would provide data on the state's rivers that could be used in setting priorities for river management, including determining which rivers need to be preserved, developed, or designated as state rivers. She said other states that had conducted similar assessments had utilized public and private partnerships to conduct the inventory including utility companies, forestry companies, wildlife and fishing organizations, educational institutions and volunteer non-profit organizations. Ms. Jones said the purpose of her presentation was to inform the Legislature on the importance of our rivers and to encourage the State to participate in the assessment.

Kim Huband, with the Division of State Parks, responded that the cost in other states for this type of assessment have ranged from \$50,000 to \$300,000. From the Division's perspective, he feels they have sufficient information from a 1975 study to be able to make decisions as it relates to state parks. He feels that the decision about the

real benefits from such a study should be made by the Division of Water Resources, the Division of Environmental Management, the Department of Cultural Resources, the Department of Transportation and others. Tom Bean, with the N.C. Wildlife Federation spoke in favor of such an assessment.

The Committee also heard a presentation by Darrell McBane, with the Division of State Parks, on the Statewide Greenway Program. He explained that the greenways initiative is being lead by local governments across the state, as part of a nationwide movement to preserve open spaces, particularly in urban areas, for environmental, recreational, economic, health, education, and historic preservation purposes. The Secretary of DEHNR has appointed at 12-member advisory panel which has been asked to come up with ways to encourage the development of greenways statewide, including any legislative action needed to remove legal impediments or to authorize local governments to act in this area. The panel hopes to finish its legislative recommendations in the next few weeks.

Dr. Phil McKnelly, Director of the Division of State Parks, spoke next on the 1995 budget requests of the Division. These requests include full funding of the Parks and Recreation Trust Fund and the Natural Heritage Trust Fund at the full \$10 million which equals the deed stamp revenues last year; 28 full-time staff positions which will provide a ranger on duty in every park during all hours that the park is open and 7.5 natural resources specialist positions, and increase the rate of pay of seasonal employees, for a total of \$2.0 million; and participation by State Parks in the State's \$3.2 million environmental education program, of which the State Parks' share will be \$76,000.

The Committee discussed its preliminary study recommendations and agreed to consider:

- Encouraging the Governor to involve all relevant State agencies in the negotiation process for Wolf Rock mineral right.
- Recommending that charging admission fees at State Parks not be considered further by the State at this time.
- Endorsing the pilot project in 6 parks for carry-in/carry-out of solid waste for two years.
- Endorsing the concept of a statewide river assessment and ask the Governor to designate a lead state agency for the State's participation.
- Including the Greenways Advisory Panel's legislative recommendation in the report.
- Endorse the Division of State Parks 1995 expansion budget requests.

The Committee noted that the inadequate staffing concerns at Kerr Lake State Park were included in the expansion budget request and the Division of State Parks was working with the recreation vehicle organizations on pilot group camping improvements.

Fourth Meeting - December 14, 1994

The Committee held its final meeting on December 14, 1994. The Committee reviewed and approved its final report to the Legislative Research Commission. The Committee also heard reports on the effect of the State Parks Division's policy on insect and disease control practices on adjacent timber owners, and recommendations for technical amendments by the Conservation Trust of N.C. to improve conservation and historical preservation laws and incentives for donations of conservation lands. The Committee took no action on these issues other than recommend that the Property Tax Study Committee examine the conservation incentives question.

FINDINGS AND RECOMMENDATIONS

The State Parks and Recreation Areas Study Committee held two substantive meetings after the 1994 Session and heard from over 18 speakers, including various state parks officials, officials from other relevant state agencies, private citizens and groups, and representatives of private, non-profit organizations interested in State Parks. The Committee reviewed several different subjects and identified those that could benefit from legislative action.

MINERAL RIGHTS ON WOLF ROCK IN STONE MOUNTAIN STATE PARK.

The Committee found that N.C. Granite Corp. has retained mineral rights to mine granite and other minerals on a 125-acre tract located in what is now Stone Mountain State Park. This 125-acre tract includes a portion of Wolf Rock, one of two major rock outcrops located in Stone Mountain State Park. N.C. Granite Corp.'s moratorium on mining under this mineral right expired in February, 1994, and the company has indicated its intention to begin site testing, obtaining the necessary mining permits, and beginning mining once a permit is issued. But the Company also indicated its willingness to negotiate with the State for the sale of the mineral rights. The Committee found that any mining of Wolf Rock would have a significant detrimental effect on Wolf Rock, the entire Park, and flora and fauna in the area. The Committee heard from the various relevant state agencies that the State was seriously reviewing the matter and was prepared to act if appropriate, including the possibility of initiating a condemnation action to protect the Park. The Committee found that no legislative action was needed at this time, but if the mineral rights have to be paid for, the Legislature may have to consider an appropriation in the future for this purpose.

RECOMMENDATION: That the Governor insure that all relevant state agencies be involved in the negotiation process to resolve this situation, and every effort be made to negotiate a settlement and prevent damage to the Park.

STATE PARK ADMISSION FEES.

The Committee found that a cost-benefit analysis of charging and collecting admission fees at some, or all state parks, showed that it was not clear that the additional revenues, after additional expenses, outweighed the negative impact these fees would have on potential park visitors and the public's support for state parks in general.

RECOMMENDATION: That the issue of charging admission fees at state parks not be considered further at this time.

CARRY-IN/CARRY-OUT SOLID WASTE IN STATE PARKS.

The Committee found that at least 34 other states have implemented some form of carry-in/carry-out solid waste disposal program which encourages park visitors

to carry out of the park all solid waste they bring into the park. The Committee learned about the benefits derived from such a program including cleaner parks, reduced staff requirements and improved environmental consciousness. The Committee found that the Division of State Parks is planning to initiate a two-year pilot project in six state parks to design and educate the public on a carry-in/carry-out program.

RECOMMENDATION: That the General Assembly endorse the pilot project program for carry-in/carry-out solid waste disposal in six state parks with a 12-month design and education period, and a 12-month implementation period, to determine the benefits and costs of implementing such a program in all state parks.

STATEWIDE RIVER ASSESSMENT.

The Committee found that many other states have derived significant benefits from a statewide river assessment, many of which have been conducted by public-private partnerships made up of state and local government agencies, colleges and universities, private companies including utility companies and forestry interest, and private non-profit citizen volunteer groups. The Committee found that such assessments provided important information needed for the proper planning and protection of these important natural resources which have both economic as well as quality of life impact on the State's citizens. The Committee found that many state departments and agencies could assist and benefit from such an assessment but there was no designated "lead state agency" at this time.

RECOMMENDATION: That the State of North Carolina participate in a statewide river assessment program and that the Governor designate a "lead agency" to coordinate the State's participation in such an assessment.

STATEWIDE GREENWAY INITIATIVE.

The Committee found that greenways are becoming more abundant in North Carolina and the use of greenway-types of areas across the State can play an important role, particularly in urban areas, in preserving natural areas, promoting recreation, and linking natural heritage areas. The Committee found that these greenways can help provide additional locations for trails, including linkages for the Mountain to the Sea trail and the Rails To Trails program. In order to promote greenways, particularly at the local government level, the Committee found that certain technical amendments to enabling laws would be helpful.

RECOMMENDATION: That the General Assembly enact a law that would make technical changes to various statutes to promote, encourage, and facilitate the creation and expansion of greenways across the State. Due to concerns expressed at the Committee meeting of December 14, 1994 about the specific language contained in the legislative proposal, the Committee decided not to recommend any specific legislative proposal at this time.

PARKS EXPANSION BUDGET REQUESTS.

The Committee found that there were significant discrepancies between the numbers of park superintendents and park ranger when compared on a per visitor basis, particularly when comparing Kerr Lake State Park with either Falls Lake or Jordan Lake State Parks. The Committee also found that there were times when state parks are open to the public when no park superintendent or park ranger was on duty. The Committee also found that the parks system was having an increasing problem of recruiting and retaining competent seasonal help in the parks because the wages paid are lower at the parks than at private business, including fast-food restaurants. The State Parks system does not have an adequate inventory of the natural resources found within park boundaries, nor other important and endangered natural heritage resources outside the state parks, that might be worthy of preservation in a state park in the future.

RECOMMENDATION: That the General Assembly appropriate funds for additional staffing, salary and other operations of the state parks including funds for:

- 1) the creation of 24 new professional staff positions to assure that either a park superintendent or park ranger is on duty during all hours that the parks are open to the public;
- 2) raising the level of wages for seasonal employees in the parks to a sufficient level to insure that the parks can recruit and retain adequate and competent seasonal employees;
- 3) the creation of 7 1/2 new biologist positions to provide for a natural heritage inventory of the state parks and other significant areas of the state, and to assure the proper maintenance and management of the natural heritage located in the parks.

(See LEGISLATIVE PROPOSAL 1 at Appendix C).

FUNDING OF THE STATE PARKS AND RECREATION AREAS TRUST FUND AND THE NATURAL HERITAGE TRUST FUND.

The Committee found that the 1994 General Assembly created the State Parks and Recreation Areas Trust Fund and stated its intent that this trust, together with the Natural Heritage Trust Fund, receive an annual appropriation equal to the State's portion of the revenues collected from the deed excise stamp tax. The Committee found that even considering the park funds arising from the 1993 State Parks Bond issue, the State parks have capital and maintenance needs in excess of \$120 million, and that the full funding of these trusts would help to begin meeting these needs on a consistent, ongoing basis.

RECOMMENDATION: That the General Assembly appropriate \$10,050,000 for the State Parks and Recreation Areas Trust Fund and the Natural Heritage Trust Fund for each year of the biennium, as being reflective of the State's share of the revenue

collected from the deed excise stamp tax. (See LEGISLATIVE PROPOSAL 1 at Appendix C).

ENVIRONMENTAL EDUCATION.

The Committee found that a comprehensive environmental education program is in the best interest of the citizens of the State and that educating our children about the environment is one of the most effective means of guaranteeing environmental quality in the future and is a cornerstone of the State's environmental stewardship obligation. Additional funding is needed to allow for new and existing programs to meet the recognized and growing demand for environmental education in the schools and among the general public. The Committee finds that the state parks are nature environmental classrooms and environmental education is imperative for the survival of our state parks. An educational video showing the history of the State Parks system, its geography, needs, and environmental programs, would be beneficial if made available to the schools and other members of the public.

RECOMMENDATION: That the General Assembly appropriate funds for each of the state parks Environmental Education Learning Experience (EELE) programs. (See LEGISLATIVE PROPOSAL 2 at Appendix D).

That the Division of State Parks determine the feasibility and costs of production of an educational video of the State Parks system, including a cooperative effort with UNC-TV using their existing video footage, and report to the 1995 General Assembly.

STATE PARKS STUDY.

The Committee found that the needs of the state parks and recreation areas are ongoing and ever changing and that there is a need for the Legislature to continue to study the needs of the state parks and recreation areas across the state.

RECOMMENDATION: The Legislative Study Committee on State Parks and Recreation Areas be reauthorized and continued. (See LEGISLATIVE PROPOSAL 3 at Appendix E).

APPENDIX A

HOUSE BILL 1319, 2ND EDITION

AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, AND TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES.

The General Assembly of North Carolina enacts:

PART I.-----TITLE

Section 1. This act shall be known as "The Studies Act of 1993".

PART II.-----LEGISLATIVE RESEARCH COMMISSION

Sec. 2.1. The Legislative Research Commission may study the topics listed below. Listed with each topic is the 1993 bill or resolution that originally proposed the issue or study and the name of the sponsor. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study. The topics are:

" . . . "

(11) State Parks and Recreation Areas (H.B. 149 - DeVane),

" . . . "

Sec. 2.2. Committee Membership. For each Legislative Research Commission Committee created during the 1993-94 biennium, the cochairs of the Commission shall appoint the Committee membership.

Sec. 2.3. Reporting Dates. For each of the topics the Legislative Research Commission decides to study under this act or pursuant to G.S. 120-30.17(1), the Commission may report its findings, together with any recommended legislation, to the 1994 Regular Session of the 1993 General Assembly or the 1995 General Assembly, or both.

Sec. 2.4. Bills and Resolution References. The listing of the original bill or resolution in this Part is for reference purposes only and shall not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

Sec. 2.5. Funding. From the funds available to the General Assembly, the Legislative Services Commission may allocate additional monies to fund the work of the Legislative Research Commission.

" . . . "

PART XI.-----APPROPRIATION FOR STUDIES

Sec. 11.1. From the appropriations to the General Assembly for studies, the Legislative Services Commission may allocate funds to conduct the studies authorized by this act.

PART XII.-----EFFECTIVE DATE

Sec. 12.1. This act is effective upon ratification. Part VI of this act is repealed on June 30, 1995.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

1

HOUSE BILL 149

Short Title: State Parks Study Commission.

(Public)

Sponsors: Representatives DeVane, Crawford, Culp, Wilmoth; Bowman, Colton, Cummings, Hackney, Hall, Luebke, G. Miller, and Richardson.

Referred to: Rules, Calendar and Operations of the House.

February 15, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A STUDY COMMISSION ON STATE PARKS AND
3 RECREATION AREAS.

4 The General Assembly of North Carolina enacts:

5 "..."

6 Sec. 2. The Study Commission is authorized:

7 (1) To identify the needs of State Parks and Recreation Areas;

8 (2) To collect and evaluate reports and recommendations of various
9 agencies, councils, and associations relating to State Parks and
10 Recreation Areas;

11 (3) To review and evaluate the North Carolina Park Authority and the
12 Park Fund, if legislation is enacted to establish the Park Authority and
13 Fund, and to recommend any revision in the legislation;

14 (4) To review and formulate proposed legislation to address the needs of
15 the Parks System; and

16 (5) To study any other issues pertinent to the State Parks and Recreation
17 System.

18 "..."

19
20
21
22



APPENDIX B

**STATE PARKS AND RECREATION AREAS COMMITTEE
MEMBERSHIP
1993 - 1994**

LRC MEMBER: Sen. Lura S. Tally
3100 Tallywood Drive
Fayetteville, NC 28303
(910)483-4175

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Mr. George Barnes, Superintendent
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Sen. Betsy L. Cochrane
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Speaker's Appointments

Rep. Paul Luebke, Cochair
1311 Alabama Avenue
Durham, NC 27705
(919)286-0269

Rep. Thomas K. Jenkins
P.O. Box 626
Franklin, NC 28734
(704)369-2377

Rep. Theodore J. Kinney
106 Chloe Drive
Fayetteville, NC 28301
(910)488-5681

Rep. Jean R. Preston
257 Sandfiddler E.
Emerald Isle, NC 28594
(919)354-6672

Rep. Kenneth O. Spears, Jr.
Route 1, Box 420A
Fayetteville, NC 28301
(910)323-8780

Rep. John H. Weatherly
142 Quail Hollow Drive
Kings Mountain, NC 28086
(704)487-0039

Rep. Wade F. Wilmoth
209 Crest Drive
Boone, NC 28607
(704)264-8131

Clerk:

Ms. Elaine Myers
624 Legislative Office Bldg
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APPENDIX C

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S/H

D

95-RU(STPKS)-003

THIS IS A DRAFT AND NOT READY FOR INTRODUCTION

Short Title: Funds/State Park Staff

(Public)

Sponsors:

Referred to:

1 A BILL TO BE ENTITLED

2 AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF STATE PARKS AND
3 RECREATION AREAS FOR STAFFING, SALARY, AND OTHER OPERATIONS.

4 The General Assembly of North Carolina enacts:

5 Section 1. There is appropriated from the General Fund to the Department
6 of Environment, Health, and Natural Resources the sum of twelve million forty-nine
7 thousand six hundred seventy-seven dollars (\$12,049,677) for the 1995-96 fiscal year
8 and the sum of eleven million six hundred thirty thousand seven hundred ninety-one
9 dollars (\$11,630,791) for the 1996-97 fiscal year for operations and support at the
10 State Parks and Recreation Areas to be allocated as follows:

11 (1) Three hundred eighteen thousand seventy-nine dollars (\$318,079) for
12 the 1995-96 fiscal year and two hundred eighty thousand three
13 hundred seventeen dollars (\$280,317) for the 1996-97 fiscal year for
14 seven and one-half new biologist positions to conduct inventories of
15 the unique natural heritage areas throughout the state and in each
16 State park and to help protect and manage state park natural
17 resources.

18 (2) Four hundred two thousand three hundred ten dollars (\$402,310) for
19 the 1995-96 fiscal year and four hundred two thousand three hundred
20 ten dollars (\$402,310) for the 1996-97 fiscal year for seasonal wage
21 rate increases at the State parks and recreation areas.

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- (3) One million two hundred seventy-nine thousand two hundred eighty-eight dollars (\$1,279,288) for the 1995-96 fiscal year and eight hundred ninety-eight thousand one hundred sixty-four dollars (\$898,164) for the 1996-97 fiscal year for 24 new professional staff positions and support to provide one professionally trained staff person on duty at all hours the parks are open to the public.
- (4) Eight million, seven hundred fifty thousand dollars (\$8,750,000) for the 1995-96 fiscal year and eight million, seven hundred fifty thousand dollars (\$8,750,000) for the 1996-97 fiscal year for the State Parks and Recreation Area Trust Fund.
- (5) One million, three hundred thousand dollars (\$1,300,000) for the 1995-96 fiscal year and one million three hundred thousand dollars (\$1,300,000) for the 1996-97 fiscal year for the Natural Heritage Trust Fund.

Sec. 2. This act becomes effective July 1, 1995.

APPENDIX E

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S/H

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95-RU(STPKS)-002

THIS IS A DRAFT AND NOT READY FOR INTRODUCTION

Short Title: State Parks Study Commission.

(Public)

Sponsors:

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE A STUDY COMMISSION ON STATE PARKS AND
3 RECREATION AREAS.

4 The General Assembly of North Carolina enacts:

5 Section 1. There is created a Study Commission on State Parks and
6 Recreation Areas to be composed of nine members, three Senators to be appointed by
7 the President Pro Tempore of the Senate, three Representatives appointed by the
8 Speaker of the House of Representatives, and three public members to be appointed by
9 the Governor. The President Pro Tempore of the Senate and the Speaker of the House
10 of Representatives shall each designate a cochair from their appointees. Either cochair
11 may call the first meeting of the Study Commission. With the prior approval of the
12 Legislative Services Commission, the Study Commission may hold its meetings in the
13 legislative buildings.

14 Sec. 2. The Study Commission is authorized:

- 15 (1) To identify the needs of State Parks and Recreation Areas;
16 (2) To collect and evaluate reports and recommendations of various
17 agencies, councils, and associations relating to State Parks and
18 Recreation Areas;
19 (3) To review and evaluate the Parks and Recreation Trust Fund, and to
20 recommend any revisions necessary in the law;
21 (4) To review and formulate proposed legislation to address the needs of
22 the Parks System; and

1 (5) To study any other issues pertinent to the State Parks and Recreation
2 System.

3 Sec. 3. With the prior approval of the Legislative Services Commission, the
4 Study Commission shall use available employees, both secretarial and professional, of
5 the General Assembly or may employ necessary personnel as the Study Commission
6 deems proper. The cochairs may assign and direct the activities of the employees,
7 subject to the advice of the Study Commission. The Department of Environment,
8 Health, and Natural Resources and any other departments, boards, or associations shall
9 assist the Study Commission and furnish any information or expertise requested.

10 Sec. 4. The Study Commission shall file a written report of its findings and
11 recommendations with the presiding officers of the House of Representatives and the
12 Senate on or before the convening of the 1997 Session of the General Assembly.

13 Sec. 5. Members of the Study Commission shall serve without
14 compensation, but they shall be paid per diem and travel expenses in accordance with
15 G.S. 138-5. Members who are legislators shall be reimbursed for travel and subsistence
16 in accordance with G.S. 120-3.1.

17 Sec. 6. There is appropriated from the General Fund to the General
18 Assembly the sum of twenty thousand dollars (\$20,000) for the 1995-96 fiscal year and
19 the sum of twenty thousand dollars (\$20,000) for the 1996-97 fiscal year for the
20 expenses of the Study Commission on State Parks and Recreation Areas.

21 Sec. 7. This act becomes effective July 1, 1995.

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